

Theodore L. Hecht (TH-5497)
Schnader Harrison Segal & Lewis LLP
140 Broadway, Suite 3100
New York, New York 10005-1101
Phone No.: (212) 973-8000
Fax No.: (212) 972-8798
E-mail: thecht@schnader.com

Attorneys for Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
MALIK M. HASAN and SEEME G. HASAN,	:	
	:	
Plaintiffs,	:	<u>NOTICE OF MOTION</u>
	:	
- against -	:	08-CV-03189 (GBD)
	:	
AMERICAN ARBITRATION ASSOCIATION,	:	ECF CASE
INC.,	:	
	:	
Defendant.	:	
-----X	:	

TO THE HONORABLE GEORGE B. DANIELS,
UNITED STATES DISTRICT JUDGE:

PLEASE TAKE NOTICE, that upon the accompanying declaration of Theodore L. Hecht and Memorandum of Law dated April 30, 2008, the Complaint filed herein, and all prior pleadings herein, defendant American Arbitration Association ("AAA") will move this Court before the Honorable George B. Daniels, United States District Judge, Southern District of New York, 500 Pearl Street, Courtroom 15D, New York, New York 10007 at such time as the Court shall direct, for an Order, pursuant to Rule 12(b)(6), of the Federal Rules of Civil Procedure, to dismiss the Complaint on the grounds that (i) the action is barred by the doctrine of

arbitral immunity, and (ii) AAA is not a necessary or proper party herein; and granting such other and further relief to defendant AAA as the Court deems just and proper.

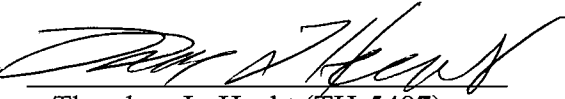
PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 6 of the Federal Rules of Civil Procedure and Local Civil Rule 6.1, opposing papers and answering memorandum of law shall be served on all parties who have appeared in this action and filed with the Court within ten (10) business days after service of the within moving papers;

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 6 of the Federal Rules of Civil Procedure and Local Civil Rule 6.1, movant's reply papers and memorandum of law shall be served on all parties who have appeared in this action and filed with the court within five (5) business days after service of opposing papers.

Dated: New York, New York
April 30, 2008

Respectfully yours,

SCHNADER HARRISON SEGAL & LEWIS LLP

By: 
Theodore L. Hecht (TH-5497)

TO: (VIA ECF)

Daniel L. Abrams (DA-7258)
Law Office of Daniel L. Abrams, PLLC
2 Penn Plaza, Suite 1910
New York, New York 10121
Phone No.: (212) 292-5663
Fax No.: (646) 536-8905
E-mail: Dan@LawyerQuality.com

Glenn W. Merrick
Marc L. Schatten
G.W. MERRICK & ASSOCIATES, LLC
Suite 912, 5445 DTC Parkway
Greenwood Village, Colorado 80111
Phone No.: (303) 831-9400
Fax No.: (303) 771-5803
E-mail: gwm@gwmerrick.com

Attorneys for Plaintiff